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MAY 02 2003 *spman*

CLERK, U.S. DISTRICT COURT
DISTRICT OF HAWAII

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

MAY 5 2003

at 3 o'clock and 05 min. *Ph*
WALTER A. Y. H. CHINN, CLERK

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	MAG. NO. 03-297 LEK
)	
Plaintiff,)	ORDER TO DETAIN DEFENDANT
)	WITHOUT BAIL
vs.)	
)	
DOUGLAS EDWIN RYCHENER,)	
)	
Defendant.)	
)	
)	

ORDER TO DETAIN DEFENDANT WITHOUT BAIL

This matter came before the Court on the motion of the United States to detain the defendant without bail pursuant to 18 U.S.C. § 3142. A hearing was held on May 1, 2003. The Court considered the Criminal Complaint, supporting affidavit and the Pretrial Services report.

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The Court has considered the factors in 18 U.S.C. § 3142(g). Based on the Criminal Complaint, affidavit and the matters set forth in the Pretrial Services report, the Court finds that:

1. This Court has probable cause to believe that the defendant committed the offense of being a felon in possession of a firearm.

2. The Court has probable cause to believe that the defendant possessed a .22 caliber semiautomatic rifle at his residence with magazines and ammunition for the firearm.

3. The Court finds that the defendant is dangerous given the nature of the offenses alleged in the criminal complaint and the defendant's criminal history.

4. The Court finds that the government has shown, by clear and convincing evidence, that the defendant is a danger to the safety of any other person and the community based upon the matters set forth in the Pretrial Services report.

5. There is no condition or combination of conditions of release which will reasonably assure the safety of any other person and the community.

6. The government has shown, by a preponderance of the evidence, that the defendant presents a serious risk of flight pursuant to 18 U.S.C. § 3142(f)(2)(A).

7. At this time there is no condition or combination of conditions of release which will reasonably assure the

defendant's appearance as required pursuant to 18 U.S.C.
§ 3142(e).

Accordingly, IT IS ORDERED, that the Government's Motion to Detain Defendant Without Bail is granted. The defendant is to be detained without bail, pursuant to 18 U.S.C. § 3142(I). It is further ordered that the defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal; that the defendant be afforded reasonable opportunity for private consultation with counsel; and that, on order of a Court of the United States or on request from an attorney for the Government, the person in charge of the corrections facility in which the defendant is confined deliver the defendant to a United States Marshal for the purposes of appearance or in connection with any Court proceeding.

DATED: MAY 05 2003, at Honolulu, Hawaii.



KEVIN S. CHANG
UNITED STATES MAGISTRATE JUDGE

United States v. DOUGLAS RYCHENER
MAG. NO. 03-297 LEK
"ORDER TO DETAIN DEFENDANT WITHOUT BAIL"

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document
was duly served upon the following on May 2, 2003.

Pamela J. Byrne
Assistant Federal Public Defender
300 Ala Moana Blvd., Room 7-102
Honolulu, Hawaii 96850

Counsel for Defendant
DOUGLAS RYCHENER

DATED: May 2, at Honolulu, Hawaii.

Cheryl P.K. Pura
U.S. Attorney's Office